

Notice of Allowability	Application No.	Applicant(s)	
	10/760,059	DONOFRIO, WILLIAM T.	
	Examiner	Art Unit	
	Wasseem H. Hamdan	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/16/2004.
2. ☒ The allowed claim(s) is/are 9, 11-19 and 22-24.
3. ☒ The drawings filed on 16 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>1/16/04; 3/25/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> . * |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Miss. Laura C. Brutman (Registration No. 38,395) on 03/04/2005.

The application has been amended as follows:

- a. Specification: page 1, line 3 of the "CROSS REFERENCE TO RELATED APPLICATIONS" section, "both" have been replaced with the following -- and is a division of application No. 09/956,359, filed on September 18, 2001, now Patent US 6,809,508 B2 Patented on October 26, 2004, all --.

- b. Claims:

- i. Claim 9: claim 9 has been replaced as follows:

-- A sensing circuit for a switch end cap of a hand piece, comprising:

a plurality of switches connected in parallel;

a plurality of diodes respectively connected in series to each of the plurality of switches,

wherein the plurality diodes are connected to each other in reverse polarities;

a plurality of conducting members connected to the plurality of diodes and the plurality of switches,

wherein each of the plurality of conducting members respectively communicate with a plurality of corresponding conductive members of the switch end cap;

a transorb connected in parallel with the plurality of conducting members,

wherein the transorb comprises zener diodes connected in a back-to-back configuration; and

wherein the circuit detects a presence of excessive debris associated with the handpiece. --

i. Claim 10: claim 10 has been cancelled;

ii. Claim 13: claim 13, line 2 "conductive" has been replaced with -- conducting --;

iii. Claim 14: claim 14, line 1, "10" has been replaced with -- 9 --;

iv. Claim 15: claim 15, line 1, "10" has been replaced with -- 9 --;

v. Claim 18: claim 18, line 1, "10" has been replaced with -- 9 --;

vi. Claim 20: claim 20 has been cancelled;

vii. Claim 21: claim 21 has been cancelled; and

viii. Claim 22: claim 22, line 1, "10" has been replaced with -- 9 --.

Examiner's Statement Of Reason For Allowance

2. The following is an examiner's statement of reasons for allowance:

Claims 9, 11-19 and 22-24 are allowed.

Regarding claim 9, the prior art of record does not teach all the combined elements and components for a sensing circuit for a switch end cap of a hand piece, including wherein each of the plurality of conducting members respectively communicate with a plurality of corresponding conductive members of the switch end cap; a transorb connected in parallel with the plurality of conducting members, wherein the transorb comprises zener diodes connected in a back-to-back configuration; and wherein the circuit detects a presence of excessive debris associated with the handpiece.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of record does not teach all the combined elements, components as discussed above in the "examiner's statement of reasons for allowance".

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem H. Hamdan whose telephone number is (571) 272-2166. The examiner can normally be reached on M-F (first Friday off) 6:30 AM- 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wasseem H. Hamdan

March 4, 2005



REN YAN
PRIMARY EXAMINER